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09/989,047	11/20/2001	Mika Laakkonen	297-010568-US(PAR)	1201
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PERMAN & GREEN 425 POST ROAD FAIRFIELD, CT 06824			EXAMINER	QUINONES, ISMAEL C
			ART UNIT	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

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<b>Office Action Summary</b>	<b>Application No.</b> 09/989,047	<b>Applicant(s)</b> LAAKKONEN, MIKA
	<b>Examiner</b> Ismael Quiñones	<b>Art Unit</b> 2686

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication. Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 22 November 2000.  
 2a) This action is FINAL.                    2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-15 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1-15 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
 \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____	6) <input type="checkbox"/> Other: _____

## DETAILED ACTION

### *Priority*

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. **Claims 1-4, 6, 8, 10-12 and 14** are rejected under 35 U.S.C. 102(b) as being anticipated by Maeda (EP 0 156124 A2).

Regarding **claim 1**, Maeda discloses a method for taking a time parameter into account in connection with call setup (A wireless handset of a cellular type wireless telephone apparatus or cordless telephone apparatus that employs means for determining the current time of an outgoing call; *col. 1, line 17-28; col. 2, lines 40-42; Fig. 1*), comprising the steps of: receiving from a user a command to set up a call to a certain destination (Input means for receiving a name of the person to be telephoned; *col. 1, lines 7-10; col. 5, lines 20-21*), as a response to the command, determining a time parameter describing the time in the destination (Wherein after setting up a destination call, information is retrieved about said call, said information further comprising the local time

of the country concerning the destination call; *col. 3, lines 36-53; col. 4, lines 3-6 and lines 18-27*), on the basis of the time parameter, determining a time difference between the place where the command to set up a call is processed and the destination (Wherein the time difference between the user placing the call and the destination call is retrieved from memory; *col. 4, lines 16-27; col. 5, lines 19-39*), and indicating the determined time difference to the user (Wherein the wireless handset comprises display means for displaying the local time of the destination call once the time difference and time information between the originating call and said destination called is retrieved from memory; *col. 2, lines 9-11; col. 3, lines 22-30; col. 5, lines 40-42 and lines 49-54; Fig. 1, item 7*).

Regarding **claim 2**, and as applied to claim 1, Maeda discloses the aforementioned method, wherein said time parameter is retrieved from a list of names and numbers, which exists in a memory (Wherein the telephone apparatus comprises a memory for storing information corresponding to names, numbers, and time differences; *col. 1, line 58 thru col. 2, line 2*).

Regarding **claim 3**, and as applied to claim 1, Maeda discloses the aforementioned method, wherein said time parameter is retrieved from the characteristics of a group of stored names and numbers (Characteristics of a group of stored names and numbers such as time differences, company names, or the like; *col. 1, line 58 thru col. 2, line 2; col. 2, line 51 thru col. 3, line 3 and lines 15-17*).

Regarding **claim 4**, and as applied to claim 1, Maeda discloses the aforementioned method, wherein said time parameter is retrieved from a look-up table (A

look-up table such as a tabular data or numeric item values stored, wherein such tabular data comprises specific attributes or features classified into names, telephone numbers, and time differences; *col. 1, line 58 thru col. 2, line 2; col. 2, line 51 thru col. 3, line 3 and lines 15-17; col. 5, lines 24-27*), in which certain parts of telephone numbers of line telephone connections correspond to certain time parameters (Wherein a certain part of a telephone number such as an area code corresponds to country local time; *col. 4, lines 3-6 and lines 22-27*).

Regarding **claim 6**, and as applied to claim 1, Maeda discloses the aforementioned, wherein in order to find out the time difference, the determined time of the destination is compared to the real time of the device in the control unit of the telephone device (Wherein the telephone device comprises a control unit such as a micro-computer for controlling the components (i.e. memory unit, and clock unit) included on the wireless handset, furthermore searching for names, and telephone numbers stored in memory, subsequently proceeding to process such information and in the event of controlling such components obtaining a current or real time concerning the wireless handset and a time difference between said current time and a local time concerning the destination call; *col. 3, line 45 thru col. 4, line 27; col. 5, lines 28-39*).

Regarding **claim 8**, Maeda discloses an apparatus for taking a time parameter into account in connection with call setup (A wireless handset of a cellular type wireless telephone apparatus or cordless telephone apparatus that employs means for determining the current time of an outgoing call; *col. 1, line 17-28; col. 2, lines 40-42; Fig. 1*), comprising: means for producing real time information (Wherein the telephone apparatus

comprises a clock circuit for generating a current or real time information; *col. 1, lines 55-58; col. 4, lines 21-22; col. 5 lines 19-23*), means for determining a time parameter describing the intended destination of a call as a response to a command to set up a call (Wherein the time difference between the user placing the call and the destination call is retrieved from memory; *col. 4, lines 16-27; col. 5, lines 19-39*), means for determining a time difference by means of the real time information and the time parameter (Means for determining a time difference by retrieving such from a memory unit and correlating such with a real/current time, and subsequently determining the local time of the destination call; *col. 4, line 16-27*), and means for indicating the determined time difference to a user (Wherein the wireless handset comprises display means for displaying the local time of the destination call once the time difference and time information between the originating call and said destination called is retrieved from memory; *col. 2, lines 9-11; col. 3, lines 22-30; col. 5, lines 40-42 and lines 49-54; Fig. 1, item 7*).

Regarding **claim 10**, and as applied to claim 8, Maeda discloses the aforementioned apparatus, comprising a memory and a list of names and numbers stored therein for determining the time parameter (Wherein the telephone apparatus comprises a memory for storing information corresponding to names, numbers, and time differences, and searching means for searching those names and telephone numbers, subsequently proceeding to determine a local time for those names and telephone numbers; *col. 1, line 58 thru col. 2, line 2; col. 5, lines 28-39*), so that in said list a stored time parameter corresponds to a stored name and number (Wherein a name and telephone number

corresponds to a time difference between that name and telephone number concerning a placed destination call and the wireless handset; *col. 1, line 55 thru col. 2, line 11*).

Regarding **claim 11**, and as applied to claim 8, Maeda discloses the aforementioned apparatus, wherein the time parameter, which should be determined, has been stored in a memory as a property of a group of stored names and numbers (A time parameter such as time differences stored in memory as a property of a group or company; *col. 1, line 58 thru col. 2, line 2; col. 2, line 51 thru col. 3, line 3 and lines 15-17*).

Regarding **claim 12**, and as applied to claim 8, Maeda discloses the aforementioned apparatus, wherein the time parameter, which should be determined, has been permanently stored in a memory in a look-up table (A look-up table such as a tabular data or numeric item values stored, wherein such tabular data comprises specific attributes or features classified into names, telephone numbers, and time differences; *col. 1, line 58 thru col. 2, line 2; col. 2, line 51 thru col. 3, line 3 and lines 15-17; col. 5, lines 24-27*), in which certain parts of telephone numbers of line telephone connections correspond to certain time parameters (Wherein a certain part of a telephone number such as an area code corresponds to country local time; *col. 4, lines 3-6 and lines 22-27*).

Regarding **claim 14**, and as applied to claim 8, Maeda discloses the aforementioned apparatus, wherein in order to determine the time difference; it includes means for comparing the determined time of the destination to the real time of the device in the control unit of the telephone device (Wherein the telephone device comprises a control unit such as a micro-computer for controlling the components (i.e. memory unit,

and clock unit) included on the wireless handset, furthermore searching for names, and telephone numbers stored in memory, subsequently proceeding to process such information and in the event of controlling such components obtaining a current or real time concerning the wireless handset and a time difference between said current time and a local time concerning the destination call; *col. 3, line 45 thru col. 4, line 27; col. 5, lines 28-39.*

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

6. **Claims 5, 7, 13 and 15** are rejected under 35 U.S.C. 103(a) as being unpatentable over Maeda (EP 0 156124 A2) in view of Rignell et al. (U.S Pat. No. 5,818,920).

Regarding **claim 5**, and as applied to claim 1, Maeda discloses the aforementioned method obtaining a time parameter. Maeda fails to clearly specify wherein said time parameter is obtained when a Home Location Register transmits to the device setting up the call the time parameter of a mobile switching center under which the receiving device is at the moment of attempting the setting up of the call.

In the same field of endeavor, Rignell et al. disclose a method wherein a first mobile terminal calls a second mobile terminal, wherein the second terminal is located in a different time zone from that of the first terminal, furthermore a Public Switching Telephone Network (PSTN) determines for example from a Home Location Register the time zone in which the second terminal is located, said time zone information can be provided to the PSTN as part of an identification number of a network controller (i.e. base station, base station controller, mobile switching center) to which the second mobile terminal is assigned (*col. 4, lines 44-60*).

Therefore it would have been obvious to one with ordinary skill in the art at the time the invention was made to have Maeda method for determining time difference between mobile terminals located in different time zones to include features for obtaining time zone information from a wireless communication network/system as taught by Rignell et al. for the purpose of accurately determining the differences in time between two different globally positioned terminals, relaying the operation for time determination to the network or system resources.

Regarding **claim 7**, and as applied to claim 1, Maeda in view of Rignell et al. discloses the aforementioned method, wherein the determined time difference is indicated to the user on a display of the device. Maeda fails to clearly specify wherein the time difference is indicated by a sound from a loudspeaker.

In the same field of endeavor, Rignell et al. disclose an apparatus, wherein the time difference is indicated by a sound from a loudspeaker (*col. 3, lines 39-43; col. 5, lines 15-19*).

Therefore it would have been obvious to one with ordinary skill in the art at the time the invention was made to have Maeda method for indicating time difference to a user on a display to include a feature for indicating the time difference by a sound from a loudspeaker as taught by Rignell et al. for the purpose of directing the user's attention to a mobile terminal when setting up a call to another communication terminal in case the line of sight of the user is not entirely focused on the mobile terminal when waiting for a response for indicating a time difference between the two mobile terminals.

Regarding **claim 13**, and as applied to claim 8, Maeda discloses the aforementioned apparatus obtaining a time parameter. Maeda fails to clearly specify wherein said time parameter is obtained from a home location register.

In the same field of endeavor, Rignell et al. disclose a method wherein a first mobile terminal calls a second mobile terminal, wherein the second terminal is located in a different time zone from that of the first terminal, furthermore a Public Switching Telephone Network (PSTN) determines for example from a Home Location Register the time zone in which the second terminal is located (*col. 4, lines 44-60*).

Therefore it would have been obvious to one with ordinary skill in the art at the time the invention was made to have Maeda method for determining time difference between mobile terminals located in different time zones to include features for obtaining time zone information from a wireless communication network/system as taught by Rignell et al. for the purpose of accurately determining the differences in time between two different globally positioned terminals, relaying the operation for time determination to the network or system resources.

Regarding **claim 15**, and as applied to claim 8, Maeda in view of Rignell et al. discloses the aforementioned apparatus, wherein the determined time difference is indicated to the user on a display of the device. Maeda fails to clearly specify wherein the time difference is indicated by a sound from a loudspeaker.

In the same field of endeavor, Rignell et al. disclose an apparatus, wherein the time difference is indicated by a sound from a loudspeaker (*col. 3, lines 39-43; col. 5, lines 15-19*).

Therefore it would have been obvious to one with ordinary skill in the art at the time the invention was made to have Maeda method for indicating time difference to a user on a display to include a feature for indicating the time difference by a sound from a loudspeaker as taught by Rignell et al. for the purpose of directing the user's attention to a mobile terminal when setting up a call to another communication terminal in case the line of sight of the user is not entirely focused on the mobile terminal when waiting for a response for indicating a time difference between the two mobile terminals.

7. **Claim 9** is rejected under 35 U.S.C. 103(a) as being unpatentable over Maeda (EP 0 156124 A2) in view of Alanara (GB 2 284 965 A).

Regarding **claim 9**, and as applied to claim 1, Maeda discloses the aforementioned apparatus, comprising a real time clock. Maeda fails to clearly specify the real time clock for keeping it continuously in real time.

However in the same field of endeavor, Alanara discloses a radio telephone comprising a clock that displays the present time within the locality of the telephone, wherein such present time is continuously kept in present time concerning the area where the radio telephone is located, as the radio telephone changes from area to another (*Page 2, lines 12-28; Page 3, lines 18-25; Page 11-14; Page 5, lines 4-30*).

Therefore it would have been obvious to one with ordinary skill in the art at the time the invention was made to have Maeda method for determining time difference between different time zones to include continuously updating features for keeping a real time according to the location of a mobile telephone as taught by Alanara. For the purpose of, maintaining a real time as the mobile telephone moves from locations having different time zones, instead of manually configuring such real time when calculating time differences without taking in account the fact of large-scale (worldwide) mobility.

### ***Conclusion***

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- a. Yamaguchi et al. (JP 2003115956), Image Communication Device.
- b. Naka (JP 09081639), Schedule Management Device.
- c. Katagishi et al. (U.S. P.G.-Pub. No. 2002/0168997), Cellular Phone and a Base Station Thereof.
- d. Chen et al. (U.S. P.G.-Pub. No. 2003/0022679), Method for Automatically Adjusting Time Difference of Cellular Phone International Roaming.

9. Any response to this Office Action should be **faxed to (703) 872-9306 or mailed to:**

Commissioner of Patents and Trademarks

P.O. Box 1450

Alexandria, VA 22313-1450

**Hand-delivered** responses should be brought to

Crystal Park II

2021 Crystal Drive

Arlington, VA 22202

Sixth Floor (Receptionist)

10. Any inquiry concerning this communication on earlier communications from the Examiner should be directed to Ismael Quiñones whose telephone number is (703) 305-8997. The Examiner can normally be reached on Monday-Friday from 8:00am to 5:00pm.

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11. If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Marsha D. Banks-Harold can be reached on (703) 305-4379, and fax number is (703) 746-9818. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9301.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose number is (703) 305-4700 or call customer service at (703) 306-0377.

*Ismael Quiñones*

I.Q.

April 7, 2004

*Marsha D. Banks-Harold*

MARSHA D. BANKS-HAROLD  
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